

## Council Meeting – April 28, 2014

The Borough of Somerset Council Meeting was held this date, chaired by Council President Ruby Miller, opening with recitation of the Pledge of Allegiance to the Flag.

### Present:

Council Members: Ruby Miller, Fred Rosemeyer, Judy Pyle, Pam Ream, Sue Opp, and Steve Shaulis. Scott Walker, Mayor, present. Also present were: Benedict G. Vinzani, Jr. Borough Manager; Michele Enos, Assistant to the Manager; George Svirsko, Director of Public Works; John J. Dirienzo, Jr., Borough Solicitor; Randy Cox, Chief of Police, and Tom Reilly, Engineering Consultant with the EADS Group.

### Approval of Minutes of Previous Meeting

Mr. Rosemeyer moved, Mr. Shaulis seconded, to approve minutes of the March 24, 2014 Meeting.

Unanimously Carried.

### Payment of Bills

Mrs. Opp moved, Mrs. Ream seconded to pay the following bills:

Check Numbers: 23683 to 23858      Total Amount: \$374,777.75

Unanimously Carried.

### Old Business

#### (a) Civil Service Commission

Mr. Vinzani said Borough Council and its Civil Service Commission have been asked for their input on proposed changes to Civil Service Regulations.

Chief Cox described the draft, stating that most of the things in the draft would be required, either under State Statute or the Borough Code, and that he added several things that are permissible but not required.

The Solicitor asked for any other input to be adjusted; if none, we can begin preparing for the adoption, based upon the draft.

## Motion

Mr. Rosemeyer moved to accept the proposed Civil Service Commission Regulations as presented, with all proposed changes. Motion was seconded by Mrs. Opp.

Unanimously Carried.

## New Business

### (a) Ordinance – Testing Sanitary Sewer System Prior to Re-sale or Refinance

Mr. Vinzani said he met with Mr. Reilly and the DEP concerning the occasional surcharging of our sanitary sewer system. The DEP suggests having backflow preventer valves installed on the sewer laterals from homes to our sewer main, to flap shut when a surcharge occurs. We additionally purchased 20 sanitary manhole inserts to be placed in manholes on road areas subject to ponding.

He said DEP mentioned adopting an ordinance requiring testing of sanitary sewer systems in each structure to be sold or refinanced. The purpose of this is to identify and correct illegal inflow/infiltration into our system from private residences, which we believe is the major contributor to our sewer system infiltration/inflow problems.

We “dye” and “smoke” test structures to find sources of illegal water. Other things may be defective such as a home lateral may have holes in it. An identified problem could involve a significant amount of labor to correct, and expenditure to the property owner.

He emphasized that we need to accept DEP’s recommendation, and asked for Council’s consensus to pursue drafting an ordinance to achieve DEP’s request, without placing an excessive burden on the property owner.

He mentioned that we purchased a “bazooka” and are implementing two of DEP’s three suggestions. We need to develop something we are all comfortable with to identify and reduce infiltration/inflow into our system, for any future owner as well. The Solicitor said the municipality would require a permit with certification that their systems have been examined, tested and passed, in order to sell or refinance.

Mr. Vinzani said we would receive the certification from a professional, and enforce the ordinance through our Code Enforcement Officer. He asked for a consensus from Council for further review then to refine it, which may take some time.

Mrs. Miller said that once the property is on record it should transfer from owner to owner.

The Solicitor said the ordinance is now on the books to permit this type of testing; the question is layering it into a refinance or property sale, and whether it should state that the property cannot be refinanced or sold unless re-checked and certified.

Motion

Mrs. Ream moved to develop an ordinance (to be presented to Borough Council for consideration) requiring testing of a structure's sanitary sewer system prior to resale or refinancing – motion seconded by Mrs. Opp.

Unanimously Carried.

(b) Somerset, Inc.

Mr. Rosemeyer moved to authorize renewal of our Annual Membership in Somerset Inc., in the amount of \$125.00. Motion seconded by Mrs. Pyle.

Unanimously Carried.

(c) May Council Meeting

Mrs. Opp moved to change the Council Meeting of May 26<sup>th</sup> to May 19<sup>th</sup> because of Memorial Day. Motion was seconded by Steve Shaulis.

Unanimously Carried.

(d) Memorial Day Parade

Mrs. Opp moved to add the Memorial Day Parade to our insurance policy – motion seconded by Mrs. Ream.

Unanimously Carried.

(e) Willing Vessels Ministries

Regarding their request to utilize our Union Street Playground on July 12<sup>th</sup>, Mr. Vinzani said our policy states that should anyone ask to use the playground, it is with the understanding that it must continue to be open to the public.

Motion

Mr. Rosemeyer moved to continue to allow them to use the playground providing that it is open to the children. They confirmed that there will be no staff there since it is on a Saturday, but we can get help from Chief Cox if needed.

Motion then seconded by Mrs. Opp.

Unanimously Carried.

(f) Somerset Inc. Day

The following Proclamation was read in honor of Somerset Inc.'s Twentieth Anniversary:

**WHEREAS**, May 1, 2014 marks the 20<sup>th</sup> Anniversary of Somerset Inc. Main Street Program, and;

**WHEREAS**, Somerset Inc. is one of three Main Street Programs in the Commonwealth that has achieved the 20<sup>th</sup> Anniversary Status, and;

**WHEREAS**, Somerset Inc. has been effective in playing an active and vital part in the community by its development of successful events and festivals to promote Somerset Borough and attract people to the businesses, and;

**WHEREAS**, Council of the Borough of Somerset wishes to honor you for the 20 years that you have remained a valuable asset to this community and also congratulate the Somerset Inc. Board of Directors, Executive Director, and dedicated volunteers.

**NOW THEREFORE** I, Scott A. Walker, along with members of Somerset Borough Council, do hereby proclaim May 1, 2014 to be Somerset Inc 20<sup>th</sup> Anniversary Day in the Borough of Somerset in recognition of their continued service to our community and furthermore to extend our sincerest wishes for continued success.

The Proclamation was presented to Mrs. Pyle for delivery to Somerset Inc.

Motion

Mrs. Opp moved, Mr. Shaulis seconded to declare May 1, 2014 as "Somerset Inc. Day" in honor of their 20<sup>th</sup> Anniversary.

Unanimously Carried.

(g) American Cancer Society Request for Banner Placement

Mr. Vinzani said this request is for a Penndot form to be filled out by the Borough, who then agrees to be responsible for any problems with the banner placement. He notified Council that the American Cancer Society does not have this policy or insurance, and he could not approve this request without Council's authorization. We would have to place the sign, remove it, and need Penelec's approval, and he pointed out that there could be potential liabilities related with this.

They discussed use of the bucket truck; whether another area would be safer; wind holes in the banner; costs and size; and placement of banners for other organizations.

Motion

Mr. Rosemeyer moved to table this for further discussion, and present it at next meeting – motion seconded by Mrs. Ream.

Unanimously Carried.

## Committee, Administration, Special Reports

### Manager's Report

Mr. Vinzani met with Mrs. Williams and the Pennsylvania Downtown Center representative to review various programs that she would like to have Somerset Borough's involvement with, along with Somerset Inc.

The County Drought Task Force met April 8<sup>th</sup> – all water companies report adequate supplies.

He attended a webinar with Mrs. Pyle, on "Successful Neighborhood Revitalization". Mr. Vinzani reported that there are two more webinars, April 30, "Electronic Communication Liabilities" and "Open Records" in May, and asked that those interested arrange to attend.

He attended the April 24<sup>th</sup> meeting of the Workforce Development Committee of Allegheny College of Maryland

He and Chief Cox attended the Universal Forensic Corporation Open House. Mr. Cox reported that they do worldwide DNA work, both government and public private enterprises, located in Glades Court – invitations to attend were offered.

He spoke with our Fire Chief and arrangements were made with County Control to sound our fire sirens on the first Saturday of each month at approximately 12:30 pm beginning in June.

We are in the process of conducting a Sign Inventory Survey to include all regulatory signs for which the Borough is responsible. This is required by PennDOT.

We are invited to participate in the Somerfest Parade, Friday July 18<sup>th</sup>. Those interested are asked to contact Mr. Vinzani.

### President's Report

Mrs. Miller offered the following:

The County Banquet will be held May 22<sup>nd</sup> in Hooversville.

The PSAB Report will be included in the May meeting agenda.

The Lions Club inquired about painting the playground buildings as a work project, at their expense. They discussed proper colors to select.

Charley Thomas will become President in July.

Public Works/Equipment Committee

Mrs. Opp reported the following:

They installed a new storm drain along Cherry Lane and Marker Drive.

Total winter road material usage: 2,700 gallons of brine salt; 1,679 tons of salt; 681 tons of anti-skid material.

The Department of Corrections swept along North Center Avenue and East Main Street. Potholes were patched throughout the Borough; streets swept; a fire hydrant was replaced along the 300 block of West Sanner Street; water leaks repaired along Clover Hill Road, West Garrett Street and Highland Park. Routine trash pickup; weekly meter pit readings; monthly grease trap inspection at restaurants; weekly water testing and monthly unloading of chemicals at the water plant.

Public Safety Committee

Mr. Rosemeyer said he attended this meeting along with the Chief, Mayor and Mr. Thomas, which consisted mainly of Civil Service Review. They will provide additional information on shortage of positions.

Finance Committee

Mr. Rosemeyer reported the March, 2014, Financial Statement, which represents 25% of the year.

General Fund

Revenues - 9.08%

Expenses - 25%

Water Fund

Revenues - 36.85% with Pennvest Water Loop; without Pennvest, 26.27%

Expenses - 31.29% with Pennvest Water Loop; without Pennvest, 25%.

Sewer Fund

Revenues - 23.21%

Expenses - 23.12%

Somerset Inc.

Mrs. Pyle presented the following:

Somerset Inc. is attempting to get merchants involved in their 20<sup>th</sup> Year Anniversary.

Yard Sale Days begins June 21<sup>st</sup> with spaces for rent in the park.

Crazy Alice's Restaurant has a fund raiser, "Dinner in the Park" on August 2<sup>nd</sup>.  
"Market Place in the Park" – July 12<sup>th</sup> to 26<sup>th</sup>. Space rental is offered.  
Layout of a sign with a thermometer will be on display at the park.

A letter is being distributed to inform people about matching fund grants that we are applying for. They discussed murals and a possible fountain, and the letter suggests donations.

The Economic Development Council reports that Nicolas Crimone is moving into the former Josie's Restaurant.

The DNA Lab meeting was attended by Mr. Vinzani and Chief Cox.

The Sentinel Printing Building was sold.

Realtor Ken Halverson spoke with Jon Jacobs about selling his buildings.

The Blind Center is reportedly sold.

Plans for the Remote Control Vehicle space are unknown at this time.

The "Beautify Somerset Project" second meeting will be held this month. A prize is offered for the most beautified commercial building as well as residential homes.

#### Somerset Volunteer Fire Department

Mr. Shaulis reported 63 fire calls in approximately one month's time; many were nuisance calls.

The new Brush Traffic Control Unit is now in service, a Dodge Ram 2500 Series Pickup Truck, 4-wheel drive, with portable pump water for brush fires, etc.

#### Solicitor's Report (Deferred to Executive Session)

#### Mayor's Report

It was suggested to authorize free metered parking for the May 1<sup>st</sup> Somerset Inc. Anniversary promotions.

#### Motion

Mrs. Opp moved to have free meter parking on May 1<sup>st</sup>, motion seconded by Mrs. Pyle.

Unanimously Carried.

#### Motion

Mr. Rosemeyer moved, Mrs. Pyle seconded to enter into Executive Session for potential litigation.

Unanimously Carried  
8:30 p.m.

Adjournment

Mr. Shaulis moved to adjourn, motion seconded by Mrs. Pyle.

Unanimously Carried.

8:38 p.m.

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Benedict G. Vinzani, Jr., Ph.D.  
Borough Manager/Secretary